

1 THE HONORABLE JOHN C. COUGHENOUR
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 ROBERT HOWELL, JR.,

14 Defendant.

CASE NO. CR21-0190-JCC

ORDER

15 This matter comes before the Court on the parties' stipulated motion to continue trial
16 (Dkt. No. 27). Having thoroughly considered the motion and relevant record, the Court
17 GRANTS the motion for the reasons explained below.

18 Trial is in this matter is currently set for September 26, 2022. (Dkt. No. 24.) The parties
19 have conferred and do not believe the current trial date is realistic given defense counsel's
20 professional commitments and the need to resolve pretrial litigation issues. (Dkt. No. 27 at 1.)
21 Further, defense Counsel is currently preparing for a complex criminal trial in the District of
22 Alaska and requires more time to complete review of discovery in this matter. (*Id.* at 1-2.) The
23 parties thus request a continuance to June 26, 2023. (*Id.*) Defendant Howell has signed a speedy
24 trial waiver to this effect. (Dkt. No. 26.)

25 Having thoroughly considered the motion and the relevant record, the Court FINDS that
26 the ends of justice served by granting a continuance outweigh the best interests of Defendant and

1 the public to a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A). The reasons for this finding are:

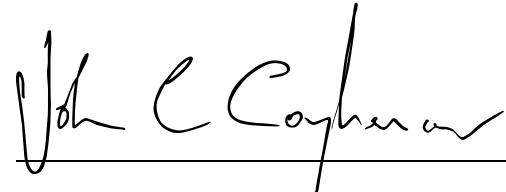
- 2 1. Taking into account the exercise of due diligence, the failure to grant a continuance
3 would deny counsel the reasonable time necessary for effective preparation, *see* 18
4 U.S.C. § 3161(h)(7)(B)(iv), and would therefore result in a miscarriage of justice, *see*
5 18 U.S.C. § 3161(h)(7)(B)(i).
- 6 2. The time between the date of this order and the new trial date is a reasonable period
7 of delay given the complexity of the case, counsels' respective schedules, recently
8 initiated plea negotiations, and the nature of contraband evidence requiring review at
9 a government facility.

10 Accordingly, the Court GRANTS the parties motion (Dkt. No. 27) and ORDERS:

- 11 1. The September 26, 2022 jury trial is CONTINUED until June 26, 2023.
- 12 2. The August 22, 2022 pretrial motions deadline is CONTINUED until March 27,
13 2023, per the parties' stipulation.

14 The period from the date of this order until June 26, 2023 is an excludable time period under 18
15 U.S.C. § 3161(h)(7)(A).

16 DATED this 23rd day of June 2022.



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18 John C. Coughenour
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20 UNITED STATES DISTRICT JUDGE
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